

ACKnowledge IP P.C.
Intellectual Property Law & Consulting

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September 8, 2023

Via ECF

Hon Hector Gonzalez
United States District Judge
225 Cadman Plaza East
Brooklyn, NY 11201

RE: *Bravo Pizza Enterprises, Inc. v. Yossef Azizo et al.*, 1:23-cv-04540-HG

Your Honor:

We are Counsel for plaintiff, Bravo Pizza Enterprises, Inc. (“BRAVO”) and submit this letter setting forth BRAVO’s attorney’s fees and costs as requested in the Court’s Memorandum and Order of August 29, 2023 (“Order”).

Attached as Exhibit A is a true and accurate copy of ACKnowledge IP P.C.’s invoice to BRAVO reflecting services rendered in connection with this matter in August 2023.¹ Except for the highlighted entries on August 16 and 30, all fees and expenses reflected in Exhibit A were incurred in connection with ECF No. 23, 27 and 32 or the telephone conference with the court on August 4, 2023, regarding Bravo’s emergency motion for injunctive relief. The entry on August 30 included discussions regarding the present submission and is 50% attributable to these efforts. Accordingly, it is appropriate to deduct \$525 from the total reflected in Exhibit A. In sum, BRAVO was forced to incur fees and costs in the amount of \$5955.66 as the direct result of Mr. Azizo’s perjurious declaration and Defendants’ subsequent efforts to evade the Court’s orders.

The undersigned has over 25 years of experience as an intellectual property trial lawyer and personally performed all services for BRAVO reflected in Exhibit A. The billing rate charged to BRAVO of \$500/hour is completely reasonable for an experienced intellectual property litigator in the New York market. For example, as shown in Exhibit B, a page from the website Legal.io printed on August 30, 2023, the median billing rate for intellectual property attorneys in the New York market was \$682/hour, with a high range of \$1027/hour. (Consistent with this range, prior

¹ An entry on August 17 was redacted to preserve attorney-client privilege and an entry on August 30 was redacted to remove the name of an attorney acting on behalf of Defendants who has not yet made an appearance in this matter.

to departing from an Amlaw 100 firm in 2021 to found ACKnowledge IP, the undersigned's standard billing rate was over \$1000/hour).

Defendants' conduct is well documented in both BRAVO's submissions and the Court's orders and need not be extensively relitigated. In short, Defendants' conduct, or more specifically its misconduct, forced BRAVO to incur considerable additional and unwarranted expense simply to achieve the relief that BRAVO believed was agreed to during the August 3, 2023, hearing. But for Defendants misrepresentations and gamesmanship, these fees and costs would not have been incurred. It is wholly appropriate for the Court to exercise its civil contempt power authorized by Rule 70, 18 U.S.C. §401(3), and/or the Court's inherent authority, to order Defendants to reimburse BRAVO's fees and costs which are directly attributable to Defendants' actions.

In addition to the \$5955.66 reflected in Exhibit A, BRAVO has also incurred an additional \$500 in fees in connection with preparing and filing this submission. Accordingly, BRAVO respectfully requests that the Court find Defendants in contempt and order Defendants to pay BRAVO its attorney's fees and costs in the amount of **\$6455.66**.

Respectfully submitted,

/Paul D. Ackerman/

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cc: Yossef Azizo (via email)

EXHIBIT A

Acknowledge IP P.C.

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United States
info@acknowledgeip.com, paul@acknowledgeip.com
Tel: 631-970-7060
Tax ID: 87-2923078

Submitted to:

Bravo Pizza Enterprises

Bravo Pizza v. Azizo - trademark and tradedress infringement

Our ref: 1019-001

Invoice 000076

September 1, 2023

August 1, 2023 - August 31, 2023

Professional Services

Date	Who	Description	Hours	Total
8/3/2023	PA	Prepare for and attend preliminary injunction hearing; review photos from Woodridge NY provided by client; prepare letter to the court seeking immediate injunctive relief and an order to show cause for sanctions	4.0	2,000.00
8/4/2023	PA	Prepare letter to the court seeking immediate injunctive relief and an order to show cause for sanctions; prepare declaration authenticating photos of Bravo at Woodridge NY; attend telephone conference with the Court regarding letter motion	1.7	850.00
8/6/2023	PA	Confer with counsel for Azizo; confer with Ken and Stephen Fellus; review and revise status letter to the court regarding Azizo's perjury	1.4	700.00
8/16/2023	PA	Review TRO in view of Azizo's use of RAVO; prepare letter motion seeking modification of the TRO to address Azizo's use of RAVO; prepare letter to court opposing withdrawal of Azizo's counsel; confer with Stephen and Kenny Fellus; review Modified TRO from the court and order granting Azizo's counsel leave to withdraw and advise client regarding same.	2.0	1,000.00
8/16/2023	PA	Preparing first amended complaint to consolidate state law claims	0.7	350.00
8/17/2023	PA	T ng	0.5	250.00
8/24/2023	PA	Prepare letter to court re Azizo's non-compliance; request for sanctions under contempt powers.	0.8	400.00
8/29/2023	PA	Review Memorandum and Order and Order for entry of Preliminary Injunction; report same to client; attention to service of same on Azizo	1.2	600.00
8/30/2023	PA	Prep ment offer to Mr. Azizo; telephone calls with (potential lawyer and "acting go between" for Defendants) regarding settlement	0.7	350.00
Professional Services			13.0	\$6,500.00

Additional Charges

Date	Who	Description	Total
8/29/2023	PA	UPS - next day - service of Order on Azizo	18.16
Additional Charges			\$18.16
Total Professional Services and Additional Charges			\$6,518.16

EXHIBIT B

Law Firm Hourly rates

New York

Intellectual Property

What is the hourly rate of lawyers specializing in Intellectual Property in New York?

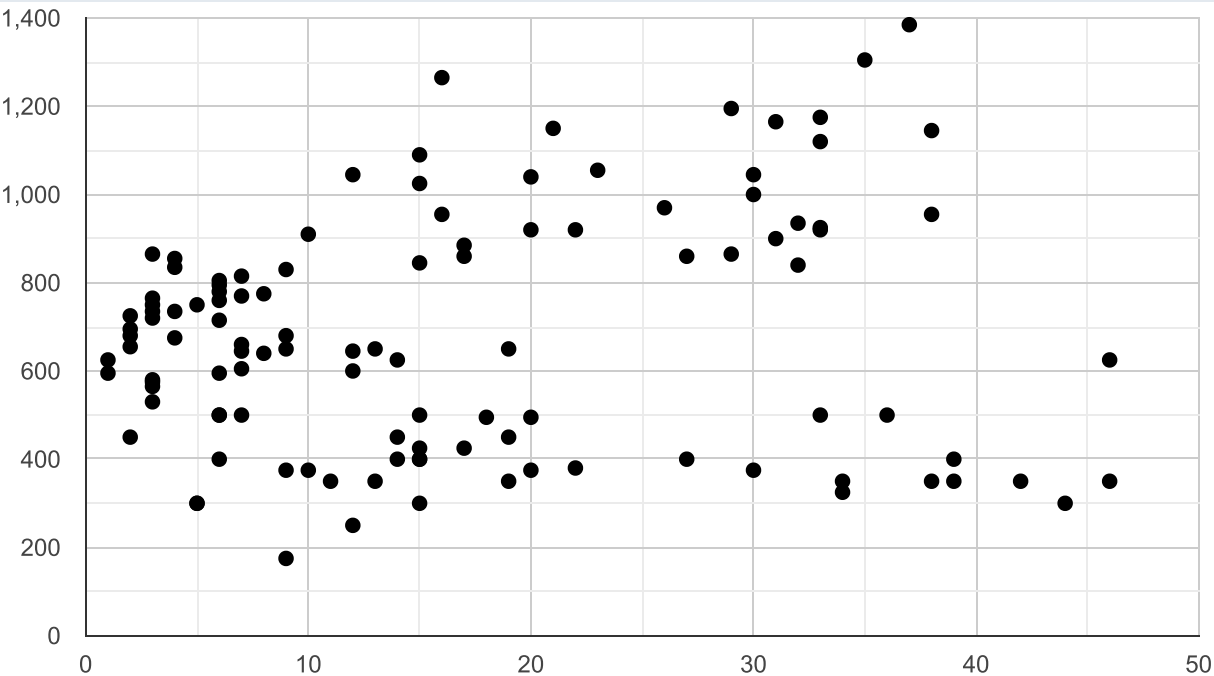
The average hourly rate of attorneys working in law firms specializing in Intellectual Property in New York is \$682/hr. This estimate is based on 113 hourly rates reported by community members.

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Low	Average	High
\$337 /hr	\$682 /hr	\$1027 /hr
10th Percentile	Median: \$655/hr	90th Percentile

How does the hourly rate vary in function of experience?

Depending on their level of experience, lawyers in New York who specialize in Intellectual Property charge from \$337 to \$1027/hr and above.



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